

GUERNSEY STATUTORY INSTRUMENT

2009 No. [] 96

**The Fees, Charges and Penalties (Airport Fees)
(Guernsey and Alderney) Regulations, 2009**

<i>Made</i>	<i>20 February, 2009</i>
<i>Coming into operation</i>	<i>1 April, 2009</i>
<i>Laid before the States</i>	<i>25 March, 2009</i>

THE PUBLIC SERVICES DEPARTMENT, in exercise of the powers conferred on the States by section 2(1) of the Airport Fees Ordinance 1987, as amended^a, as delegated to it by section 1(1)(d) of the Fees, Charges and Penalties (Guernsey) Law, 2007^b and all other powers enabling it in that behalf, hereby makes the following regulations:-

Airport Fees.

1. (1) The fees for the use of Guernsey Airport are those set out in Schedule 1 of these Regulations.

(2) The fees for the use of Alderney Airport are those set out in Schedule 2 of these Regulations.

^a Recueil d'Ordonnances Tome XXIV p 9; amended by Tome XXVI p. 163 and Tome XXVIII p. 423.

^b Ordres en Conseil No. VII of 2008.

Repeal and amendment.

2. (1) All Resolutions of the States made under the Ordinance prior to the commencement of these Regulations, save for Resolutions made under section 2(2)(f) of the Ordinance, shall cease to have effect on the commencement date of these Regulations.

(2) For the avoidance of doubt paragraph (1), above, does not affect any right, privilege, obligation, penalty, punishment, forfeiture or liability accrued under any of Resolution of the States made under the Ordinance.

(3) These Regulations may be amended by a Resolution of the States made under the Ordinance.

Interpretation.

3. (1) In these Regulations -

"**the Law**" means the Fees, Charges and Penalties (Guernsey) Law, 2007^c,

"**the Ordinance**" means the Airport Fees Ordinance 1987, as amended^d,
and

"**the States**" means the States of Guernsey.

(2) Unless the context otherwise requires, expressions used in these Regulations that are not defined in subsection (1) shall, where they are defined in the Ordinance, have the same meaning as in the Ordinance.

^c Ordres en Conseil No. VII of 2008.

^d Recueil d'Ordonnances Tome XXIV p 9; amended by Tome XXVI p. 163 and Tome XXVIII p. 423.

(3) The Interpretation (Guernsey) Law, 1948 applies to the interpretation of these regulations as it applies to the interpretation of an enactment.

Citation.

4. These Regulations may be cited as the Fees, Charges and Penalties (Airport Fees) Regulations, 2009.

Extent.

5. These Regulations apply in the islands of Guernsey and Alderney.

Commencement.

6. These Regulations shall come into force on the 1 April, 2009.

Dated this 20 February 2009

DEPUTY B. M. FLOUQUET
Minister of the Public Services Department
For and on behalf of the Department

EXPLANATORY NOTE

(This note is not part of the regulations)

These Regulations increase the fees for use of Alderney Airport and Guernsey Airport with effect from 1 April 2009.

SCHEDULE 1

Paragraph 1(1)

FEEES FOR USE OF GUERNSEY AIRPORT

Description of Fee

Amount of Fee

1. Arrival and Departure Fees (s. 1(a) of the Ordinance)

Fees below are per
metric ton or part
thereof of the aircraft

1.1 Aircraft that are not private aircraft and that are not being used solely for a test, familiarisation of training flight

1.1.1 Fee for the arrival and departure of an aircraft where the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is 55 nautical miles or more from the airport and where the aircraft is:

- | | |
|--------------------------------------|-------|
| (i) in passenger configuration; | £8.07 |
| (ii) in cargo configuration; or | £8.07 |
| (iii) without passengers or freight. | £8.07 |

1.1.2 Fee for the arrival or departure of an aircraft where the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply where the aircraft is:

- | | |
|--------------------------------------|-------|
| (i) in passenger configuration; | £4.49 |
| (ii) in cargo configuration; or | £4.49 |
| (iii) without passengers or freight. | £4.49 |

1.2 Private Aircraft that are not being used solely for a test, familiarisation of training flight

1.2.1 Fee for the arrival or departure of a private aircraft where the fee is paid before departure and the aircraft:

- (i) does not exceed 5 metric ton maximum permissible take off weight and the last point of departure (in the case of an

arrival fee) or the next point of arrival (in the case of a departure fee) is

(a) 55 nautical miles or more from the airport £5.50

(b) less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply £4.40

(ii) exceeds 5 metric ton maximum permissible take off weight and the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is

(a) 55 nautical miles or more from the airport £8.80

(b) less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply £4.90

1.2.2 Fee for the arrival or departure of a private aircraft where the fee is paid after departure and where the aircraft:

(i) does not exceed 5 metric ton maximum permissible take off weight and the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is

(a) 55 nautical miles or more from the airport £5.50

(b) less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply £4.40

(ii) exceeds 5 metric ton maximum permissible take off weight and the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is

(a) 55 nautical miles or more from the airport £8.80

(b) less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply £4.90

1.3 Aircraft being used solely for a test, familiarisation of training flight

Fee for the arrival or departure of an aircraft which is being used solely for a test, familiarisation or training flight.

£3.20

1.4 Aircraft carrying out round trip flights

Fee for the arrival or departure of an aircraft where the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is the airport. £3.47

2. Passenger fees on arrival and departure (s.1(b) of the Ordinance) Fees below are per passenger

Fee for the arrival or departure of a passenger on an aircraft in passenger configuration where:

(i) the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is

(a) not the airport but is within the Channel Islands £2.44

(b) not the airport but is within the Channel Islands, where the passenger remained or will remain on the aircraft at that point £3.90

(c) not the airport but is or will be outside of the Channel Islands £3.90

(d) the airport £0.84

(ii) the passenger does not disembark the aircraft at the airport £0.00

3. Additional availability fee for use of airport outside promulgated hours (s.1(c) of the Ordinance)

Fee charged in addition to those in paragraph 1 (above) for arrival and departure of aircraft outside promulgated hours and:

(i) up to 2229 hours £494.00

(ii) between 2230 hours and 2259 hours £989.00

(iii) between 2300 hours and 2329 hours £1,193.00

(iv) between 2330 hours and 2359 hours £2,386.00

(v) between 2400 hours and the opening of the Airport. £3,580.00

4. Parking fee (s.1(d) of the Ordinance)

Fee for parking :

- | | |
|--|-------|
| (i) private aircraft under 3 metric tons maximum permissible weight parking for 24 hours, | £0.00 |
| (ii) private aircraft exceeding 3 metric tons maximum permissible weight parking for 24 hours, | £0.00 |
| (iii) aircraft that are not private aircraft parking for 2 hours, or overnight in order to operate early morning services, | £0.00 |
| (iv) Tri Box parking for 5 hours, and | £0.00 |

after the expiration of the relevant period above, the parking fee shall be:

- | | |
|--------------------------------------|--|
| (i) for the first metric ton, | £10.85 |
| (ii) for each additional metric ton. | £2.29 per metric ton or part thereof of the aircraft |

5. Runway approach (s.1(e) of the Ordinance)

Fee payable in respect of each aircraft which, without landing, approaches a runway at the airport for the purpose of making a simulated landing on a test, familiarisation or training flight.	£6.50 per metric ton or part thereof of the aircraft
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SCHEDULE 2

Paragraph 1(2)

FEES FOR USE OF ALDERNEY AIRPORT

Description of Fee	Amount of Fee
1. Arrival and Departure Fees (s. 1(a) of the Ordinance)	Fees below are per metric ton or part thereof of the aircraft
<u>1.1 Aircraft that are not private aircraft and that are not being used solely for a test, familiarisation of training flight</u>	
1.1.1 Fee for the arrival or departure of an aircraft where the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is 55 nautical miles or more from the airport and where the aircraft is:	
(i) in passenger configuration;	£8.65
(ii) in cargo configuration; or	£8.65
(iii) without passengers or freight.	£8.65
1.1.2 Fee for the arrival or departure of an aircraft where the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply, and where the aircraft is:	
(i) in passenger configuration;	£4.81
(ii) in cargo configuration; or	£4.81
(iii) without passengers or freight.	£4.81
<u>1.2 Private Aircraft that are not being used solely for a test, familiarisation of training flight</u>	
1.2.1 Fee for the arrival or departure of a private aircraft where the fee is paid before departure and the aircraft:	
(i) does not exceed 5 metric ton maximum permissible take	

off weight and the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is

(a) 55 nautical miles or more from the airport £5.50

(b) less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply £4.40

(ii) exceeds 5 metric ton maximum permissible take off weight and the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is

(a) 55 nautical miles or more from the airport £8.80

(b) less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply £4.90

1.2.2 Fee for the arrival or departure of a private aircraft where the fee is paid after departure and where the aircraft:

(i) does not exceed 5 metric ton maximum permissible take off weight and the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is

(a) 55 nautical miles or more from the airport £5.50

(b) less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply £4.40

(ii) exceeds 5 metric ton maximum permissible take off weight and the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is

(a) 55 nautical miles or more from the airport £8.80

(b) less than 55 nautical miles from the airport and paragraph 1.4, below, does not apply £4.90

1.3 Aircraft being used solely for a test, familiarisation of training flight

Fee for the arrival or departure of an aircraft which is being used solely for a test, familiarisation or training flight.

£3.20

1.4 Aircraft carrying out round trip flights

Fee for the arrival or departure of an aircraft where the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is the airport. £3.47

2. Passenger fees on arrival and departure (s.1(b) of the Ordinance)

Fees below are per passenger

Fee for the arrival or departure of a passenger on an aircraft in passenger configuration where:

(i) the last point of departure (in the case of an arrival fee) or the next point of arrival (in the case of a departure fee) is

(e) not the airport but is within the Channel Islands £3.72

(f) not the airport but is within the Channel Islands, where the passenger remained or will remain on the aircraft at that point £4.74

(g) not the airport but is or will be outside of the Channel Islands £4.74

(h) the airport £0.86

(ii) the passenger does not disembark the aircraft at the airport £0.00

3. Additional availability fee for use of airport outside promulgated hours (s.1(c) of the Ordinance)

Fee charged in addition to those in paragraph 1 (above) for arrival and departure of aircraft outside promulgated hours and:

- | | | |
|-------|--|-----------|
| (i) | up to 2229 hours | £494.00 |
| (ii) | between 2230 hours and 2259 hours | £989.00 |
| (iii) | between 2300 hours and 2329 hours | £1,193.00 |
| (iv) | between 2330 hours and 2359 hours | £2,386.00 |
| (v) | between 2400 hours and the opening of the Airport. | £3,580.00 |

4. Parking fee (s.1(d) of the Ordinance)

Fee for parking :

- | | |
|--|-------|
| (i) private aircraft under 3 metric tons maximum permissible weight parking for 72 hours, | £0.00 |
| (ii) private aircraft exceeding 3 metric tons maximum permissible weight parking for 24 hours, | £0.00 |
| (iii) aircraft that are not private aircraft parking for 24 hours, | £0.00 |

after the expiration of the relevant period above, the parking fee shall be:

- | | |
|--------------------------------------|--|
| (i) for the first metric ton, | £10.85 |
| (ii) for each additional metric ton. | £2.29 per metric ton or part thereof of the aircraft |

5. Runway approach (s.1(e) of the Ordinance)

Fee payable in respect of each aircraft which, without landing, approaches a runway at the airport for the purpose of making a simulated landing on a test, familiarisation or training flight.	£6.50 per metric ton or part thereof of the aircraft
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**The Fees, Charges and Penalties (Airport Fees)
(Guernsey and Alderney) Regulations, 2009**

Supplementary Note

These Regulations were laid before the States at the Meeting starting on 25th March, 2009 (Billet d'État VIII of 2009). The related note that was published in the Billet d'État records that they were made on 20th February 2009, and came into effect on 1st April 2009.

